S.B.Cr.Misc. Bail App. No.4620/2007

(Smt. Shobha Devi vs. State of Rajasthan)

Date of order : September 17, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.G.R.Bhari, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that the allegation of rape is against co-accused Indra Pal and so far as present petitioner is concerned, the only allegation against her is that the prosecutrix went to her house and, thereafter co-accused Indra Pal committed rape on her.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Smt. Shobha Devi w/o Ramesh be released on bail in FIR No.389/2007, P.S. Nohar, Distt. Hanumangarh provided she furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-